

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SHELLEY M. FERNEAU, Formerly)	
known as SHELLEY M. PINO,)	
)	4:06CV3300
Plaintiff,)	
)	
v.)	
)	MEMORANDUM AND ORDER
PAPPAS TELECASTING OF CENTRAL)	
NEBRASKA/PAPPAS TELECASTING)	
OF NEBRASKA, INC.,)	
)	
Defendant.)	

Upon consideration of the motion for continuance and the materials filed in support of and opposition to the motion, I conclude that even though there has been less than due diligence on plaintiff's behalf, a brief period should be allowed for her new attorneys to conduct discovery. I shall set a November trial date, which would have been, according to the court's usual practices, the month in which the trial would have been set anyway by the former progression order calling for a pretrial conference in October. I see no prejudice to the defendants, as the trial date is not being continued. Any duplicative discovery expenses incurred by the defendants can be ameliorated by taxing such expenses to the plaintiff.

IT THEREFORE HEREBY IS ORDERED:

1. The motion for continuance, [filing 84](#), is granted, and an amended final progression order will be entered.

2. In the event the defendants claim that additional discovery expenses have been incurred as a result of the continuance granted by this order which are duplicative of discovery expenses previously incurred, application may be made to the court for an order directing the plaintiff to reimburse

defendants for such duplicative expenses. Such application shall be filed on or before the date of the final pretrial conference.

DATED this 18th day of August, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge